

REMARKS

Upon entry of the present amendment, the Specification will have been amended. The claims will not have been amended but are submitted for reconsideration.

In view of the hereincontained remarks, Applicant respectfully requests reconsideration and withdrawal of each of the outstanding objection and rejections set forth in the above-mentioned Official Action. Such action is respectfully requested and is now believed to be appropriate and proper.

In the outstanding Official Action, the Examiner objected to the drawings under 37 C.F.R. § 1.83(a). The Examiner asserted that the limitation “when the numerical value input by the panel exceeds the display capacity of the screen in the copy mode, switches from the copy mode to the facsimile mode”.

Applicant respectfully traverses the Examiner’s objection and requirement for corrected drawing sheets. In this regard, Applicant respectfully directs the Examiner’s attention to Figs. 4 and 5 of the present application and the description thereat in the section titled “Brief Description of the Drawings”. Based on the description of Figs. 4 and 5, it is clear that Fig. 4 shows the display during the copy mode while Fig. 5 shows the display during the facsimile mode. A comparison of Figs. 4 and 5 clearly indicates that the display capacity of the display 32 is limited to two digits in the copy mode while ten digits can be input in the facsimile mode.

It is respectfully submitted that these two drawings clearly support the limitation asserted by the Examiner to not have been shown in the drawings. To even further clarify this matter, Applicant has amended the paragraph of the specification starting at page 7, line 6, to make particular reference to the differences in display capacity shown in Figs. 4 and 5.

In this regard, Applicant notes that in discussing the threshold value for input digits, on page 7, lines 12-13, indicate that the threshold value for input digits is set to two to allow only two digits to be displayed. In conjunction with Fig. 4, it is apparent that this refers to the copy mode. Moreover, the entire paragraph referenced above refers to the determination of whether or not to switch the mode and, in conjunction with such determination, the disclosure indicates that the number of digits is counted and the mode switching determination section 22 uses as a threshold value a numerical value smaller than a number of digits in a destination telephone number (page 7, lines 9-11).

Accordingly, it is respectfully submitted that Applicant's drawings particularly, Figs. 4 and 5, provide clear support for the recited feature of Applicant's invention. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the outstanding objection to the drawings and withdraw the same.

Nevertheless, should the Examiner persist in requiring a new drawing further showing these features, he is respectfully requested to contact the undersigned to set forth the type of drawing required.

In the outstanding Official Action, the Examiner rejected claims 35, 36, 44, 47-50, 53 and 54 under 35 U.S.C. § 1.112, first paragraph, as failing to comply with the written description requirement. The Examiner asserted that the claims include subject matter not described in the specification in such way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention.

In regard to both independent claims 35 and 44, the Examiner asserted that, using the language of claim 35 merely as an example, that the limitation "a controller which, when the copy mode is set and when the numerical value input by the panel exceeds the display capacity of

the screen in the copy mode, switches from the copy mode to the facsimile mode” was not properly described. Applicant respectfully traverses the Examiner’s rejection and submits that the present application, as filed, contains clear and adequate support for each of the recited limitations, including the above-noted limitation of claim 35 and the generally related limitation of claim 44, contrary to the assertion by the Examiner.

In this regard, Applicant notes the Examiner’s response to Applicant’s arguments filed on November 16, 2006. Therein, the Examiner noted the disclosure at page 6, lines 20-27, and indicated that it does not “state clearly” whether exceeding the threshold or not exceeding the threshold causes the switch from the copy mode to the facsimile mode. Applicant respectfully submits that the Examiner is incorrect. In this regard, Applicant notes that, while the section quoted by the Examiner, on its face and without any further analysis, might be considered to be somewhat ambiguous, if this portion of the disclosure is carefully reviewed, Applicant’s invention will clearly be understood based thereupon.

In other words, assuming the device is in the copy mode as disclosed in the application, the digits number counting section 21 counts an input value and the mode switching determination section determines whether or not the number of digits exceeds the threshold value. Logically speaking, if the number of digits does not exceed the threshold value, there is no reason to change a mode since probably a number of copies is intended. On the other hand, if the threshold value is exceeded, the copy mode should be switched to the facsimile mode since, based upon the input number of digits, a telephone number is probably intended. In other words, the concept of exceeding the threshold corresponds to switching. This is also logically mandated. For example, if one were in a copy mode, which as noted above, has a limited display capacity, once the number of input digits exceeds the limited display capacity

(i.e., the threshold value), it is apparent that a telephone number is being input for a facsimile transmission. Accordingly, the mode should switch from the copy mode to the facsimile mode.

Furthermore, if the opposite interpretation were true, then there would really be no point to the present invention. In other words, the present invention operates to ensure that when a telephone number is input while in the copy mode, since the capacity of the display is set to be less than a number of digits in a telephone number, the mode will change from the copy mode to the facsimile transmission mode. The opposite would not provide any useful benefit and is not disclosed by Applicant's specification, although Applicant's specification, in the portion noted by the Examiner, does include two alternatives (i.e., whether or not).

Accordingly, it is respectfully submitted that the specification fully supports the present invention. In this regard, Applicant notes the Examiner's reliance on the flow chart of Fig. 3. However, this flow chart does not describe the features of the invention now being claimed in the present application. In this regard, Applicant notes that some features of the present invention were recited in a previous application which has now issued as U.S. Patent No. 6,137,598, while other features of the present invention were restricted out by the Examiner in a previous Office Action. The feature of the invention presently recited herein is disclosed at page 5, line 22 through page 7, line 19.

It is respectfully submitted that although there might be some potential for minor ambiguity based upon the number of alternative expressions used therein, interpreting the language of the disclosure together with ordinary logic and the expressed features of the present invention, indicate that Applicant's invention is fully supported by the original disclosure. An action to such effect is respectfully requested, in due course.

In the outstanding rejection, the Examiner rejected claim 35, 36, 44, 47-50, 53 and 54 under 35 U.S.C. § 102(b) as being anticipated by MATSUNAI (U.S. Patent No. 5,357,350). Applicant respectfully traverses the above rejection and submits that it is inappropriate.

In particular, Applicant has set forth, in detail, the various shortcomings of the above-noted reference in the response filed in the present application on November 16, 2006. Such remarks are incorporated herein by reference in their entirety.

Additionally, Applicant notes that at all times the display capacity of the display section of MATSUNAI is the same. This is clearly evidenced by a comparison of Figs. 2A and 2B. In this regard, Fig. 2A clearly shows the copy LED illuminated yet the size of the display is the same as in Fig. 2B where the fax LED appears illuminated. Accordingly, MATSUNAI clearly does not disclose at least this clearly disclosed feature of the present invention. For this reason alone as well as in combination with the other distinctions and differences set forth in the previous response, as noted above, Applicant submits that the present claims are clearly patentable over the MATSUNAI reference relied upon by the Examiner.

In addressing (in the remarks) this aspect of Applicant's invention, the Examiner asserted that steps 6, 7 and 8 of Fig. 4 as well as step 34 of Fig. 5 disclose this feature in combination with the disclosure at column 6, lines 45-46.

Applicant respectfully traverses the above rejection and submits that neither of the portions of the MATSUNAI disclosure cited by the Examiner support the Examiner's interpretation thereof. In particular, column 6, lines 45-46, do not discuss the display at all while the paragraph immediately thereafter merely indicates that, upon initialization, a copy mode is set in which the PPC 2 serves as a copying apparatus. There is no mention here regarding a display or a size of the display. Similarly, as can clearly be seen in Fig. 4, none of

steps 6-8 indicate any change in the display capacity of the display section upon a change of mode. In this regard, step 8 is described at column 7, lines 6-9, and indicates the display as being changed "to be adapted to facsimile, for example, the input numeric data is displayed as a facsimile number". However, no change in capacity is disclosed. This is further evidenced by column 5, lines 26-29, which would be unnecessary if the capacity of the display is changed. Thus, it is apparent that no change in the display capacity of the display section of MATSUNAI is disclosed therein, the Examiner's comments to this effect notwithstanding.

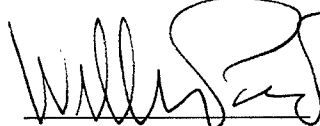
In the view of the above, Applicant respectfully requests reconsideration of each outstanding objection and rejections set forth in the above-mentioned Official Action together with an indication of the allowability of all the claims pending in the present application. Such action is respectfully requested and is now believed to be appropriate and proper.

SUMMARY AND CONCLUSION

Applicant has made a sincere effort to place the present application in condition for allowance and believes that he has now done so. Applicant has amended the Specification for clarity and without introducing any new matter into the present Specification. Applicant has further traversed each of the Examiner's rejections and has shown how they are inappropriate. In this regard, Applicant has pointed out a clear basis for the features recited in Applicant's invention. Applicant has further discussed the reference relied upon by the Examiner and pointed out the shortcomings thereof. Accordingly, Applicant has provided a clear evidentiary basis supporting the patentability of all the claims in the present application and respectfully requests an indication to such effect, in due course.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
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